

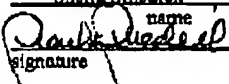
APR 24 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	HONG THI NGUYEN ET AL)	
)	
SERIAL NO.:	10/003,554)	ART UNIT:
)	2642
FILED:	November 2, 2001)	
)	EXAMINER:
FOR:	SYSTEM AND METHOD FOR)	Le,
	CALLER CONTROLLED TIME)	Karen L
	DEMARCATON)	

I hereby certify that this correspondence is
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Shella Smedick

	4/24/06
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REQUEST FOR PRE-APPEAL BRIEF CONFERENCE

In response to the Final Office Action mailed September 22, 2005 and the
Advisory Action Mailed April 6, 2006, and in conjunction with the concurrently filed
Notice of Appeal, Applicants request a pre-Appeal conference in view of the following
remarks.

REMARKS

In response to the final Office Action dated September 22, 2005 and the Advisory Action mailed April 6, 2006, Applicants respectfully request reconsideration based on the following remarks. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claims 1-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cai in view of Smith. This rejection is traversed for the following reasons.

Claim 1 recites a method for setting a limit on the duration of a voice channel communication, comprising "receiving said demarcation information at said first network element; communicating said demarcation information to said second network element, causing said second network element to store said demarcation information; and wherein said subscriber provides said demarcation information." Cai is directed to system in which a user of a telephone is granted a free bonus call if the user listens to an advertisement. Cai teaches that the bonus call lasts for a predetermined duration determined by the sponsoring entity. The sponsor of the advertisement is then billed for the bonus call (col. 3, lines 30-42).

In applying Cai, the Examiner acknowledges that Cai fails to teach a subscriber providing call demarcation information. The Examiner cites to Smith as teaching a system in which a subscriber sets the demarcation information. The Examiner submits it would have been obvious to one of ordinary skill in the art to incorporate Smith's feature to Cai's system in order to allow the subscriber to provide and select demarcation information. Applicants respectfully disagree that such a modification of Cai would have been obvious.

In Cai, the sponsor sets the duration of the call, because the sponsor of the advertisement eventually pays for the cost of the call. To allow the user in Cai to set the duration of the free bonus call would place the sponsor at the whim of the user, resulting in exorbitant costs to the sponsor. If the user in Cai sets the duration of the free bonus call, then the sponsor has no way to control costs associated with the advertising campaign. It simply does not make sense to allow the user in Cai to set the duration of the

free bonus call. Thus, such a modification certainly would not have been obvious to one of ordinary skill in the art.

In the Advisory Action, the Examiner states that Cai does suggest allowing the caller to set the duration of the bonus call. Applicants respectfully disagree. The section of Cai relied upon by the Examiner relates to limitations imposed by the sponsor on the number or type of calls. Neither of these limitations is set by the caller. Thus, Cai does not suggest allowing the caller to set the duration of the bonus call.

For the above reasons, claim 1 is patentable over Cai in view of Smith. Claims 2-9 depend from claim 1 and are patentable over Cai in view of Smith for at least the reasons advanced with reference to claim 1.

Claim 10 recites "determining a demarcation interval for said communication based on demarcation information provided by a subscriber." As described above with reference to claim 1, there is insufficient motivation to modify Cai to include demarcation information provided by the subscriber. Thus, claim 10 is patentable over Cai in view of Smith. Claims 11-23 depend from claim 10 and are patentable over Cai in view of Smith for at least the reasons advanced with reference to claim 10.

Claim 24 recites "a caller-controlled call demarcation entry component." As described above with reference to claim 1, there is insufficient motivation to modify Cai to include demarcation information provided by the caller. Thus, claim 24 is patentable over Cai in view of Smith. Claims 25-31 depend from claim 24 and are patentable over Cai in view of Smith for at least the reasons advanced with reference to claim 24.

Claim 32 recites "wherein said demarcation interval is provided by a subscriber." As described above with reference to claim 1, there is insufficient motivation to modify Cai to include demarcation information provided by the subscriber. Thus, claim 32 is patentable over Cai in view of Smith. Claims 33-43 depend from claim 32 and are patentable over Cai in view of Smith for at least the reasons advanced with reference to claim 32.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone

conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

If any extensions of time are required under 37 C.F.R. 1.136, Applications hereby petition for such extensions of time and authorize any extension fees to be charged to Deposit Account No. 06-1130.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

Date: April 24, 2006